

E-Filed 11/6/08

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

HOMETRONICS, INC.,

Plaintiff,

v.

CECIL FRED REACER, et al.,

Defendants.

Case Number C 08-1751 JF (HRL)

ORDER VACATING ORDER TO
SHOW CAUSE AND HEARING
THEREON; AND SETTING CASE
MANAGEMENT CONFERENCE

[re docket no. 17]

The initial Case Management Conference (“CMC”) was held in this case on September 19, 2008. There was no appearance by any party. On November 3, 2008, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute. The Court subsequently became aware that although Plaintiff had not offered an explanation for its failure to appear at the initial CMC, Plaintiff had filed a request for entry of default on October 8, 2008. Plaintiff filed an amended request for entry of default on November 4, 2008. The requests for entry of default are referred to the Clerk of the Court for disposition. The Order to Show Cause and hearing set for December 5, 2008 are VACATED.

1 A CMC is set for January 9, 2008 at 10:30 a.m.

2 IT IS SO ORDERED.

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5 DATED: 11/6/08

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JEREMY FOGEL
United States District Judge

Copies of Order served on:

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